

From: David Gabler
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 11:11am
Subject: Microsoft Settlement

My name is David Gabler,

I am writing you to tell you my disappointment with the proposed Microsoft settlement.

There are many loop holes written into the agreement that allow Microsoft ways to not abide by the intent of the agreement. Some examples are:

- Enforcement. There is no method/means of enforcement. What is to keep Microsoft from breaking the rules. There need to be stiff penalties.
- Microsoft is trying to shift their market to next generation products however this agreement does not cover those products, e.g. tablet pc's.
- The definition of API omits many useful and necessary API's

In addition to this a very large barrier to entry remains, file formats. No file formats are required to be disclosed.

Please do not agree to this proposal with out taking into consideration the comments on Dan Kegel's webpage, <http://www.kegel.com/remedy/letter.html>.

David Gabler